

REMARKS

In the outstanding Office Action dated October 12, 2006, the Examiner: (i) rejected claims 1-4, 7-9, 13, 15-18, 21-23, 25 and 26 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,749,081 (hereinafter "Salvo") in view of U.S. Patent Application Publication No. 2002/0168679 (hereinafter "Neumayer"); and (ii) rejected claims 10 and 14 under 35 U.S.C. §103(a) as being unpatentable over Salvo in view of Neumayer in further view of U.S. Patent No. 5,749,081 (hereinafter "Whiteis").

Applicants respectfully request reconsideration of the application in view of the remarks below.

With regard to the §103(a) rejections, Applicants submit herewith a declaration of prior invention in accordance with 37 C.F.R. §1.131. The declaration is signed by each of the inventors named on the present application. The declaration and the exhibits attached thereto evidence the conception and due diligence toward reduction to practice of an invention falling within independent claim 1 at least as early as May 1, 2001, and thus prior to the May 9, 2001 priority date of the Neumayer reference. Applicants are therefore entitled to overcome the §103(a) rejections using a declaration under 37 C.F.R. §1.131, in accordance with MPEP §§706.02(b) and 715. It is believed that the declaration is effective to remove the Neumayer reference from consideration, and thereby overcome the §103(a) rejections.

In view of the above, Applicants believe that claims 1-4, 7-10, 13, 15-18 and 21-26 are in condition for allowance, and respectfully request withdrawal of the §103(a) rejections.

Respectfully submitted,



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